

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

SARAH UPDIKE and JAMES UPDIKE : Case No.: 1:22-cv-00374
Individually and as parents and next
Friends of their minor children I.U, : JUDGE MICHAEL BARRETT
A.U. and K.U. , et al. :
Plaintiffs : MAGISTRATE STEPHANIE BOWMAN
vs. :
BOARD OF EDUCATION : AFFIDAVIT OF LARRY
OF FOREST HILLS SCHOOL : HOOK
DISTRICT, et al. :
Defendants. :

STATE OF OHIO)
)SS:
COUNTY OF HAMILTON)

Now comes Larry Hook and being first duly cautioned and sworn, states as follows:

1. I am the Superintendent for the Forest Hills School District and have held that position since the August 1, 2022 school year.
2. I have served as Superintendent in other school districts for 12 years.
3. As Superintendent, I report directly to the Board of Education of the Forest Hills School District and have knowledge about the current policies of the Forest Hills School Board ("School Board").
4. In my role as Superintendent, I have knowledge of how School Board policies are enacted and implemented.

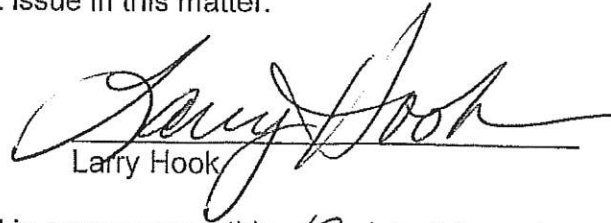
5. Under the Forest Hills School District Board policy po0100, a policy is defined as a "general, written statement by the governing Board which defines its expectations or position on a particular matter and authorizes appropriate action that must or may be taken to establish and/or maintain those expectations." A copy of this policy is attached as Exhibit A to this affidavit.
6. The resolution at issue in this lawsuit is not a School Board policy.
7. Under Forest Hills School District policy po0171, the Superintendent brings to the School Board's attention all policies that need revision. A copy of this policy is attached as Exhibit B to this affidavit.
8. Under this same policy, the School Board directs the Superintendent to recall all policy and regulation manuals periodically for the purposes of administering and updating Board Review.
9. Under School Board policies po0171.1, po0171.2, and po0171.3, the School Board will review its policies for several reasons: Copies of these policies are attached as Exhibits C, D, and E to this affidavit.
10. The School Board will review its policies and procedures on educational resources as on a continuing basis in order to keep them up to date.
11. The School Board will also review its policies on the philosophy of education, educational goals, curriculum instruction, and participation of disabled students, educational options on a continuing basis in order to keep them up to date.
12. The School Board will also review its policies on planned community relations on a continuing basis in order to keep them up to date.

13. School Board policy po0131 provides that the School Board shall make such rules and regulations as are necessary for its governance and its governance employees on students of its grounds and premises by adopting by-laws and policies for the organization operation of the School Board and School District. A copy of this policy is attached as Exhibit F to this affidavit.
14. In order to adopt, amend, or repeal the School Board's by-laws and policies, it is required that the proposed adoption, amendment or repeal shall have been proposed at a previous School Board meeting and, once proposed, shall have remained on the agenda for each succeeding School Board meeting until approved or rejected.
15. By-laws shall be adopted, amended, repealed, or suspended by an affirmative vote of four members while policies shall be adopted, amended or repealed by an affirmative vote of three members.
16. With respect to the resolution at issue in this matter, there are no School Board policies that have been identified to be adopted, amended, or repealed by the School Board pursuant to the resolution.
17. Under School Board policies po0132 and po1230.01, the School Board may also adopt administrative guidelines which are delegated to the Superintendent for designing and implementing. Copies of these policies are attached as Exhibits G and H to this affidavit.
18. Administrative guidelines, required actions, detailed arrangements under which the School District will operate are formulated and adopted by the

School Board only when required by law, and when the Superintendent and administration recommends the School Board to adopt them.

19. I have not designed or recommended for adoption any administrative guidelines based on the resolution at issue.
20. Under School Board policy po2210, the School Board is responsible for the quality of the educational program of the schools in the School District. A copy of this policy is attached as Exhibit I to this affidavit.
21. The curriculum for the schools shall be developed, evaluated, and adopted on a continuing basis and in accordance with the plan for curriculum growth established by the Superintendent.
22. The Superintendent is responsible to the School Board for the development and evaluation of the curriculum and the preparation of courses of study.
23. I have not identified any changes to the curriculum pursuant to the resolution at issue in this matter.
24. Under School Board policy po2220, the School Board is also responsible for providing a comprehensive instructional program concerning the educational needs of the students. A copy of this policy is attached as Exhibit J to this affidavit.
25. The School Board shall periodically approve with the recommendation of the Superintendent courses of study that define the key components of the School District's curriculum and instruction.
26. The Superintendent shall recommend to the School Board such courses of study as are deemed to be in the best interest of the students.

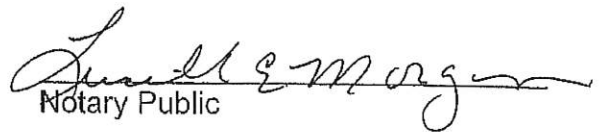
27. I have not recommended to the School Board any changes to the courses of study based on the resolution at issue in this matter.


Larry Hook

Sworn to before me and subscribed in my presence this 19 day of August, 2022.



LUCILLE E MORGAN
Notary Public, State of Ohio
My Commission Expires
05/31/2024
8/19/22


Notary Public

My commission expires: 5/31/2024

CERTIFICATE OF SERVICE

I hereby certify that on the 24th day of August, 2022, a copy of the foregoing document was filed electronically and served through the court's electronic filing system via email to all parties of record.

/s/ Bernard W. Wharton
Bernard W. Wharton